

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**JONATHAN FLORES OQUENDO,**

**Petitioner,**

**v.**

**CASE NO. 2:20-CV-04523**

**CRIM. NO. 2:13-CR-00165**

**JUDGE JAMES L. GRAHAM**

**Magistrate Judge Kimberly A. Jolson**

**UNITED STATES OF AMERICA,**

**Respondent.**

**ORDER**

On September 18, 2020, the Magistrate Judge issued a Report and Recommendation pursuant to Rule 4 of the Rules Governing Section 2255 Proceedings recommending that the Motion to Vacate under 28 U.S.C. § 2255 be dismissed. (ECF No. 34.) Although the parties were advised of the right to file objections to the Magistrate Judge's Report and Recommendation, and of the consequences for failing to do so, no objections have been filed.

The Report and Recommendation (ECF No. 34) is **ADOPTED** and **AFFIRMED**. The Motion to Vacate under 28 U.S.C. § 2255 (ECF No. 33) is **DENIED** and **DISMISSED**.

Petitioner has waived his right to appeal by failing to file objections. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6 th Cir. 1981). The Court therefore **DECLINES** to issue a certificate of appealability.

**IT IS SO ORDERED.**

Date: October 13, 2020

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s/James L. Graham  
JAMES L. GRAHAM  
UNITED STATES DISTRICT JUDGE